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SCHOOL & MASS EDUCATION DEPARTMENT

RESOLUTION

The 26th February, 2016

Subject: Taking over the Management of 04 numbers of Secondary Schools and 03 numbers of M.E. Schools of Urban Local Bodies transferred by the Housing & Urban Development Department and declaring the teaching & non-teaching staff of these schools as Government servants under School & Mass Education Department.

Government in School and Mass Education Department have already taken over 81 numbers of High Schools, 65 numbers of M.E. Schools & 72 numbers of Primary schools of Urban Local Bodies in the State transferred by the Housing & Urban Development Department vide their Resolution No.4942-M-III-M-43/2003/H&UD., dated the 28th February, 2004 along with the teaching & non-teaching staff to the administrative control of School & Mass Education Department.

2. It was noticed that some Schools managed by the Urban Local Bodies were not accepted for transfer to the fold of School & Mass Education Department during that period. In order to sort out this, Government in Housing & Urban Development Department vide Resolution No. 13506/HUD., dated the 5th July, 2014 have decided to transfer the following 07 numbers of ULB Schools as mentioned below along with teaching and non teaching staff covered under the prescribed yardstick to the administrative control of School & Mass Education Department.

- (i) Sanjay Gandhi High School, Malimunda, Jharsuguda Municipality, Jharsuguda.
- (ii) Municipal Girls' High School, Kendrapara Municipality, Kendrapara.

- (iii) NAC Girls' High School, Pipli NAC, Pipli, Puri.
- (iv) Municipal High School, Balasore Municipality, Balasore
- (v) Mukunda M.E. School, Deogarh Municipality, Deogarh
- (vi) Dharanidhar UP(ME) School, Deogarh Municipality, Deogarh.
- (vii) Badabazar Hindi ME School, Sambalpur Municipality, Sambalpur.

3. Government in School & Mass Education Department, after careful consideration of all these aspects, have decided to take over the above 04 High Schools and 03 ME Schools along with their employees to the administrative control of School & Mass Education Department.

4. The taken over employees of 04 ULB High Schools and 03 ULB ME Schools would be treated as Govt. servants & employees under School & Mass Education Department w.e.f. the actual date of transfer.

5. The service conditions and other modalities of regular employees shall be in the manner indicated below :—

(i) **FIXATION OF PAY :—**

The pay entitlement and increments etc. of both teaching & non-teaching staff will be protected as per the provision under rule 74(d) of Odisha Service Code on their coming over to Government Service under S&ME Department as per Rules.

(ii) **SENIORITY : —**

The seniority of the transferred employees of these ULB Schools both teaching & non-teaching staff will be determined in their respective cadre as per existing Rules of School & Mass Education Department.

(iii) **OTHER SERVICE CONDITIONS: —**

Other service conditions such as Leave Salary, PF, HRA, Promotion, age of superannuation, Pension and other retiral benefits, etc. will be applicable and decided/determined according to the existing Rules, codal procedure/ instruction of the State Government in School and Mass Education Department in force.

(iv) **AGE OF SUPERANNUATION: —**

The age of superannuation of these employees of transferred ULB Schools shall be on completion of 60 years of age.

(v) **QUALIFYING SERVICE: —**

Qualifying service for pension will be counted for the service rendered in Elementary / Secondary Schools under ULB from the date of recognition of the Schools or date of joining of the incumbents which is later.

(vi) **CREATION OF POSTS: —**

Creation of School-wise teaching and non-teaching posts on the basis of the existing yardstick shall be made in accordance with the existing Rules and instruction and after obtaining concurrence of Finance Department.

(vii) **TRANSFER & POSTING: —**

Rules and procedure governing transfer of teaching and non-teaching staff of Govt. Schools under the administrative control of School & Mass Education Department will be applicable to these transferred employees.

(viii) **ELIGIBILITY CRITERIA: —**

The regular teaching and non-teaching staff of the transferred ULB Schools having requisite qualification and admissible under the prescribed yardstick of S&ME Department shall be declared as Government employees by S&ME Department from the actual date of transfer.

The non regular teaching & non-teaching staff of the above ULB Schools as per record, working as on the date of actual date of transfer covered under yardstick shall also be declared as contractual Government servant under School & Mass Education Department.

(ix) **BUILDING & ASSETS ETC: —**

The building & infrastructure including land, buildings, furniture, assets etc. will be transferred to the administrative control of School & Mass Education Department within one year from the actual date of transfer of the Schools. After transfer, the buildings and assets will be treated as the property & assets of School & Mass Education Department & will be maintained by this Department. No cost will be paid to Housing & Urban Development Department or to the concerned ULBs / NACs for these properties.

6. No Urban Local Bodies will be entitled to open any new School of any category and cannot claim any left out Secondary School or staff (both teaching & non-teaching) hereafter on issuance of this Resolution.

7. The Director Secondary Education/Director, Elementary Education will be the Administrative Controller respectively of these 04 ULB Secondary Schools & 03 ULB ME Schools. The School & Mass Education Department will be the Administrative Department hereafter with effect from the date of taken over.

8. The concerned DEOs will take stock of properties, assets, liabilities, buildings, furniture, staff position with reference to pay bills & available records of (both teaching and non-teaching, regular & non-regular) staff of these transferred ULB Schools as on taken over.

- (i) All service rules applicable to Govt. servants shall be applicable to the taken over employees of these 07 ULB Schools for all purposes.
- (ii) Any dispute in the matter here after shall be decided by the School & Mass Education Department as per the conditions resolved in this Resolution and norms / rules & procedure prevailing.

9. Any legal complicacy relating to the period prior to actual date of taken over by School & Mass Education Department. shall be the concern of H & UD Department .

10. School & Mass Education Department will not be liable for any liability prior to the actual date of taken over.

11. The teaching and non-teaching staff of the above mentioned 07 Schools (04 High School and 03 ME School) shall furnish undertaking at the time of taken over to the effect that he/she shall be abided by the decisions to be taken in the matter of service conditions, pay scale and *inter-se-seniority* in consultation with Finance & Law Department.

12. This has been concurred in by the Finance Department vide their UOR No.5135-ACSF., dated the 30th October, 2015.

13. This Resolution will be effective from the date of issue.

ORDER

Ordered that the Resolution shall be published in an Extraordinary issue of the *Odisha Gazette*.

By Order of the Governor

RANJANA CHOPRA

Commissioner-*cum*-Secretary to Government